

Appl. No. 09/945,118
Amtdt dated September 20, 2006

REMARKS/ARGUMENTS

All pending Claims 1-14 and 23-29 stand rejected over prior art. Specifically the current Office Action states that the claims are anticipated by Applicants' admitted prior art (APA) and related information (concepts, documentations, guides, products, etc.; see <http://h50.isi.u-psud.fr/docmiage/oracle/doc/paraserv.817/a76934/toc.htm> and <http://h50.isi.u-psud.fr/docmiage/oracle/doc/paraserv.817/a76934/chap9.htm#1009863>) to Oracle 8i™, and pages 1-4 in Applicants' background.

Note that the on-line information present at the above-cited URLs has not been established by the Examiner to be prior art to the current invention. Applicants filed an Information Disclosure Statement on February 9, 2005 which included copies of two documents that were incorporated by reference in Applicants' background section. Hence, in the next Office Action, the Examiner is requested to verify that their claim rejections are properly supported in the printed copies of documents submitted on February 9, 2005. This is because the information now present at the Examiner-cited URLs can change in future, and it has not been shown to be authentic and unchanged from its publication date.

The prior art information related to Oracle 8i™ cited by the Examiner appears to teach that one or more new instances can be added, by a manual process, of bringing down a database, and then recreating the database from scratch with the new instances included. This prior art process requires a user to be knowledgeable about the commands needed to perform nine tasks as follows, for example to migrate from a single instance to an Oracle Parallel Server:

- Task 1: Configure Hardware
- Task 2: Evaluate Tablespaces and Log Files of Single Instance
- Task 3: Create Raw Devices
- Task 4: Export Data from Old Database
- Task 5: Install Operating System Dependent Files
- Task 6: Install Oracle8i Enterprise Edition and Oracle8i Parallel Server
- Task 7: Create the Database
- Task 8: Transfer Data From Old Data to Empty Database
- Task 9: Start the Database

A first aspect of the above-described prior art information related to Oracle 8i™ is that each task may require a human to issue commands and parameters that are specific

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to each task. For example, Task 2 above requires the user to know that each additional node requires two log files and that the user must add additional log files for each node using the ALTER DATABASE ADD LOGFILE statement. Accordingly, the user must not only know how to perform such tasks, but must also make various decisions and laboriously type up the commands and their parameters and wait while each command is executed. A second aspect of prior art information related to Oracle 8i™ is that the database must be brought down, its data exported, and then recreated and old data transferred into it. Hence, the database of Oracle 8i™ is not available for the duration in which a new instance is being added.

Claim 1 has been amended to require the acts of "creating," "setting up" and "starting execution of the new instance" to be performed automatically in response to an instruction to add the new instance. Therefore, Claim 1 now clearly distinguishes over the first aspect noted above. Moreover, Claim 1 has been amended to require multiple instances wherein a plurality of processes are executing during the acts of "creating," "setting up" and "starting execution of the new instance." Hence, Claim 1 now provides a clear distinction over the second aspect noted above. Furthermore, Claim 1 now recites that the new object which is created (automatically as noted above) is required to access the shared resource.

In rejecting Claim 1 the Examiner stated an interpretation of the term "new object" but cited to only page 6 lines 2-11 of the Applicants' specification. However, this term is used in several other places in Applicants' specification, including examples in the database context described at page 13 at lines 24-30.

In rejecting Claim 1 the Examiner further stated that "using an existing object used by an existing Instance of the application" is disclosed in Chapter 9 of Oracle 8i™ Parallel Server Setup and Configuration Guide Release 2 (8.1.6) Part Number A76934-01 cited in Applicants' Background at page 4 last paragraph. Applicants respectfully traverse this remark. Specifically, the Examiner has not provided a pin-point citation to support their position that Oracle 8i™ teaches using an existing object to create a new object. The Chapter 9 cited by the Examiner merely teaches the nine tasks described on the previous page of this amendment. As noted above, Task 2 of Chapter 9 teaches that additional log files be created manually, and the Examiner has not shown that existing log files be

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automatically used to create new log files. For example, a user of Oracle 8i™ is free to create log files of any name and of any size when creating raw devices (Task 3).

Thus, Applicants respectfully submit that Claim 1 is patentable over Oracle 8i™. Reconsideration and withdrawal of this rejection is respectfully requested. Claims 2-14 and 26-29 are believed to be likewise patentable. Claims 23-25 are believed to be patentable for at least one reason similar to the above-discussed reason regarding the first aspect of prior art information related to Oracle 8i™.

Claim 2 was rejected by the Examiner as being inherent in Oracle 8i™ as described at page 2 lines 9-20 of Applicants' background discussion related to rollback process if a computer in Oracle 8i™ Parallel Server (OPS) fails. Applicants respectfully submit that the Examiner has merely cited a database rollback process, which relates to processing of transactions during operation of the database. Nothing in the database rollback process is affected by the individual name that a user may select when adding a new instance to Oracle 8i™. As noted above, a user of Oracle 8i™ is free to create log files of any name, which can be completely different for each user and for each time the user name a file.

If the Examiner continues to reject Claim 2 in the next Office Action, the Examiner is hereby requested to provide a pin-point citation in support of their position, and furthermore to show why it "necessarily" follows from the pin-point citation being provided that the name of object being created (for use in accessing the shared resource) must be based on the name of the new instance.

Claim 3 was rejected by the Examiner as being described by Task 7 in Oracle 8i™. However, nothing in Task 7 discloses how to choose a name for a new instance. See the following quoted text on Task 7. There are no names mentioned in this quoted text.

Task 7: Create the Database

Create a new database on the raw partitions. Depending on the install type and subsequent configuration options, a database may be created with the following methods:

- * If you selected the Typical installation, the database will be created after installation.
- * If you requested that Oracle Database Configuration Assistant run after the Custom installation, Oracle Database Configuration creates a database.
- * If you requested that Oracle Database Configuration Assistant not run after during Custom installation, you can

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still run Oracle Database Configuration to create a database, as described in "Use Oracle Database Configuration Assistant in Stand-Alone Mode".

* If you requested that Oracle Database Configuration Assistant not run during Custom installation, you can create the database manually, as described in "Use Manual Methods".

Accordingly, the Examiner is respectfully requested to show in the next Office Action as to how does Task 7 anticipate Claim 3.

Regarding the rejection of Claim 7, Applicants note that while it may be possible in Oracle 8i™ for a user to issue commands manually to obtain a list of computers, there is no suggestion to automatically generate a list and display it to the user.

Regarding the rejection of Claim 9, the Examiner cited to a "table in paragraph 4" but the undersigned is unable to identify which table is being cited. Hence the Examiner is respectfully requested to include a copy of the table and identify its source document, in the next Office Action.

Regarding Claim 12, Applicants respectfully submit that the "oratab" file of Oracle 8i™ has been admitted by the Examiner to be on each node (see the Office Action at page 9). Accordingly, this file cannot anticipate use of a "file shared across all computers" as per Claim 12.

For the above reasons, Applicants respectfully request allowance of Claims XX. Should the Examiner have any questions concerning this response, the Examiner is invited to call the undersigned at (408) 982-8203.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number 571-273-8300 on September 20, 2006.

S. Omkar
Attorney for Applicant(s)

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Date of Signature

Respectfully submitted,

S. Omkar

Omkar K. Suryadevara
Attorney for Applicant(s)
Reg. No. 36,320

SILICON VALLEY
PATENT GROUP LLP

10 Mission College Blvd
Suite 360
Santa Clara, CA 95054
(408) 982-8200
FAX (408) 982-8210